

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

**Private Aided Colleges – Satavahana College, Vijayawada, Krishna District – Suspension of Management and appointment of Special Officer – Orders – Issued.**

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**HIGHER EDUCATION (CE) DEPARTMENT**

G.O.RT.No. 84

Dated:17-03-2015

Read the following:-

- (01) From the CCE, A.P., Hyderabad, Lr.No.1101/Admn.I-1/2011, dt.22-10-2011.
- (02) From the CCE, A.P., Hyderabad, Lr.No.1101/Admn.VI-1/2011, dt.04-05-2012.
- (03) From the CCE, A.P., Hyderabad, Lr.No.1101/Admn.VI-1/2011, dt.26-05-2012.
- (04) From the CCE, A.P., Hyderabad, Lr.No.1101/Admn.VI-1/2011, dt.10-07-2013.
- (05) Govt.Memo No.16004/CE.II-1/2011,dt.3-9-2013, 18-02-2014 & 16-09-2014.
- (06) From the CCE, A.P., Hyderabad, Lr.No.1101/Admn.VI-1/2011, dt.21-08-2014.

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**ORDER:**

It was brought to the notice of the Government that there are serious disputes in Sri Durga Malleswara Educational Society, Vijayawada, which is running Sathavahana College, Vijayawada. On an application made by one Sri Prajapathi Rao, who was the former Secretary of the Society, on 26-04-2010, the District Registrar returned the list of members of the General Body prepared by him for the year 2009-10. The Commissioner and Inspector General of Registrations and Stamps, Hyderabad issued a Memo dt.01-04-2011 directing the District Registrar not to accept any further members into the Society and to delete all the names from the records from 2005-06 onwards. One Sri Kameswara Rao who is acting as the Secretary of the Society filed W.P.No.10806/2011 and the Hon'ble High Court passed interim orders on 19-04-2011 not to delete the names from the register of the members.

2. The District Collector & Magistrate, Krishna District has reported that basing on the newspaper reports, oral enquiry conducted through the Revenue Divisional Officer, Vijayawada and Tahasildar, Vijayawada on sale transactions and purchase transactions of properties and acquiring the land from inception of College and particulars of assets, court cases and Bye-laws. The Revenue Divisional Officer & Enquiry Officer, Vijayawada finally stated that the stay orders granted by the Hon'ble High Court in various cases, suitable action may be taken for smooth functioning of the Sathavahana College, Vijayawada duly rectifying the irregularities keeping in view the future of the students.

3. The Hon'ble High Court in its orders dated:17-02-2012 in W.P.No.27867/2011 filed by Sri Durga Malleswara Educational Society, Vijayawada has made the observation/orders, among other things:-

“The Secretary Kameshwara Rao submitted resignation on 25-07-2011. The EC met on 26-07-2011. While accepting the resignation, it was resolved to admit ARP as patron member. In the same meeting, he was declared elected as Secretary. The EC in its meeting on 01-08-2011 nominated ARP as Correspondent.

Further, on 01-04-2011, the Registrar General by Memo No. Soc2/1849/2010, Dated:01-04-2011 is ordered U/S 30 of A.P. Societies Registration Act,2001 that the lists erroneously taken into record without proper scrutiny from 2005-06 onwards shall be deleted from the records and

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not to accept any list from 2005-06 onwards from anybody unless accompanied by court approval orders the entire correspondence is enclosed herewith. About four months thereafter the petitioner sent the list of members of general body. In response to thereto the District Registrar, Machilipatnam, while returning the list of members, addressed a letter dated:01-08-2011 informing the petitioner that the list of members for 2010-11 cannot be taken on record until the settlement of disputes by the Court. Aggrieved by the same, the Society represented by Kameshwara Rao filed W.P.No.10806/2011 and also sought suspension of the letter of the District Registrar. While admitting, the Writ Petition, by order dated:19-04-2011 in W.P.No.13281/2011 the court directed the Registrar General and the District Registrar not to delete the names from the Register. Further, the Hon'ble Court observed that in the light of various events and proceedings, it is understandable as to how the EC members of the society could have elected/nominated ARP as Secretary and Correspondent. The orders issued by the Registrar General, the District Registrar and the dispute raised in W.P.No.10806/2011 would lead to the conclusion that the whole issue of list of members is in dispute. There is a direction by this Court not to delete the name of anybody, it is binding on all the members of the Society. In that view of the matter, the resolutions removing Sri.Kameshwara Rao as Secretary and admitting ARP as member and electing/nominating him as Secretary and admitting ARP as member and electing/nominating him as Secretary and Correspondent cannot be recognised by law. ....when the very admission/election of ARP as member/Secretary of the society is illegal, no importance can be attached to the Procds. of the CCE. For the reasons, this Court, is persuaded to countenance the submission of the second respondent that ARP has no locus standi to represent the Society. "

The Hon'ble High Court finally ordered that:-

.....Further more the second respondent has placed before this Court a certificate issued by the HDFC Bank Ltd., near Benz Circle, Vijayawada to the effect that the GPA of the Second respondent obtained demand draft in favour of the Petitioner for Rs.9,00,000/-. This probablises the factum of payment of money by the second respondent in obedience to the award of the Lok Adalat. When the award of the Lok Adalat has been acted upon, this Court must decline to exercise discretion in favour of the petitioner. For these reasons the impugned award of the Lok Adalat is unassailable.

4. As the matter stood thus, Sri Prajapathi Rao has filed fresh W.P.No.14256/2013 with a prayer to decide the validity of the change of the Correspondent-ship made by the Commissioner of Collegiate Education, A.P., Hyderabad in Procds.Rc. No.1101/Admn.I-1/2011, Dated:26-09-2011 contrary to the interim orders passed in W.P.No.10806/2011, Dated:19-04-2011 and also in view of the Division Bench Judgement dated:17-02-2012 passed in W.P.No.27867/2011.

5. The Commissioner of Collegiate Education, A.P., Hyderabad has stated that the Advocate General, AP. High Court, Hyderabad was requested to give his opinion in the matter and after perusing the records the Advocate General orally has opined that a Special Officer may be appointed as the Management is in disputes. The Government Pleader for Higher Education, High Court of Andhra Pradesh at Hyderabad has also opined that "basing on the enquiry report of the Revenue Department, dt.10-01-2012, it is advisable to appoint a Special Officer duly following the procedure and continue till all the disputes are settled".

6. Therefore, Commissioner of Collegiate Education, A.P., Hyderabad, has requested to suspend the Management of Satavahana College, Vijayawada and appoint the District Collector and Magistrate, Krishna District as Special officer till the disputes are settled.

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7. After careful examination of the matter and in exercise of the powers conferred by the proviso under Section 24(3) of the Andhra Pradesh Education Act-1982, the Government hereby order to suspend the Management of Satavahana College, Vijayawada and appoint the District Collector and Magistrate, Krishna District as Special officer to Satavahana College, Vijayawada until further orders. The District Collector and Magistrate, Krishna District should look into the disputes of the College and settle the land dispute / case and he should submit a detailed report to the Government accordingly.

8. The Commissioner of Collegiate Education, A.P., Hyderabad shall take further necessary action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**SUMITA DAWRA  
SECRETARY TO GOVERNMENT**

To  
The Commissioner of Collegiate Education, A.P., Hyderabad.  
The District Collector and Magistrate, Krishna District.

Copy to:-

The Correspondent, Satavahana College, Vijayawada  
(Through : The Commissioner of Collegiate Education, A.P., Hyderabad)  
The Accountant General, A.P., Hyderabad.  
The Director of Treasuries & Accounts, A.P., Hyderabad.  
The P.S. to Chief Secretary to Government.  
The P.S. to Secretary to Government(HE)  
Sc/Sf.

**// FORWARDED :: BY ORDER //**

**SECTION OFFICER**